

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

BRIAN KEITH HARPER, #22026-076

VS.

UNITED STATES OF AMERICA

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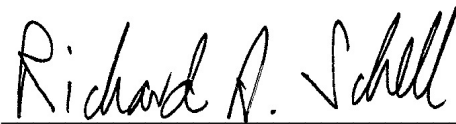
CIVIL ACTION NO. 4:16cv817
CRIMINAL ACTION NO. 4:07cr244(4)

ORDER OF DISMISSAL

This civil action was referred to United States Magistrate Judge Kimberly C. Priest Johnson, who issued a Report and Recommendation concluding the motion to vacate, set aside, or correct sentence (Dkt. 1) pursuant to 28 U.S.C. § 2255 should be dismissed without prejudice. Movant filed objections. The court has conducted a *de novo* review of the objections raised by Movant to the Report and concludes the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the court.

It is accordingly **ORDERED** Movant's Motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Dkt. 1) pursuant to 28 U.S.C. § 2255 is **DISMISSED** without prejudice. All motions by either party not previously ruled upon are **DENIED**.

SIGNED this the 29th day of March, 2018.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE